



Headquarters Policy Flash

FLASH 2001-12

DATE: April 3, 2001
TO: Procurement Directors
FROM: Office of Procurement and Assistance Policy, MA-51
Office of Procurement and Assistance Management

SUBJECT: FAR Class Deviation Addressing Contractor Responsibility

SUMMARY: Acquisition Letter (AL) 2001-02, subject as above, is suspended. AL 2001-02 was issued on February 15, 2001. It transmitted a class deviation to the FAR as modified by FAC 97-21. The class deviation affected FAR: 9.103(b), 9.104-1(d), 9.104-3 new paragraph (c), 14.404-2(i), 15.503(a), 31.205- 47(a) and (b), 52.209-5 and 52.212-3(b). The class deviation directed that Contracting Officers were to follow the FAR as it existed on January 18, 2001.

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The suspension of the AL is due to the Federal Register publication (66 FR 17754) of an interim FAR rule and the stay of the final FAR rule in FAC 97-21. The FAR interim rule mirrors AL 2001-02. It is effective for solicitations issued on or after January 19, 2001. Contracting Officers must amend solicitations already issued that incorporate the certification provisions from the final rule published in the Federal Register on December 20, 2000 (65 FR 80255). The net effect is that Contracting Officers should continue to adhere to the FAR as it was on January 18, 2001.

For questions related to this Flash, contact Ed Lovett at (202) 586-8257, or via e-mail at Ed.Lovett@hq.doe.gov

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cc: PPAG Members